

SMITH LARSEN & WIXOM

ATTORNEYS
HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
(702) 252-5002 • (702) 252-5006

1 Kent F. Larsen, Esq.
2 Nevada Bar No. 3463
3 Katie M. Weber, Esq.
4 Nevada Bar No. 11736
5 SMITH LARSEN & WIXOM
6 1935 Village Center Circle
7 Las Vegas, Nevada 89134
8 Tel: (702) 252-5002
9 Fax: (702) 252-5006
10 Email: kfl@slwlaw.com
kw@slwlaw.com
11 Attorneys for Plaintiff
12 U.S. Bank National Association,
13 As Trustee For MASTR Asset Backed
14 Securities Trust 2006-WMC4, Mortgage
15 Pass-Through Certificates, Series 2006-WMC4

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

16 U.S. BANK NATIONAL ASSOCIATION,
17 AS TRUSTEE FOR MASTR ASSET
18 BACKED SECURITIES TRUST 2006-
19 WMC4, MORTGAGE PASS-THROUGH
20 CERTIFICATES, SERIES 2006-WMC4,

21 Plaintiff,

22 v.

23 ER HOLDINGS NV LLC, a Nevada limited
liability company; VILLA DEL ORO
24 OWNERS ASSOCIATION, a Nevada non-
profit corporation; LIDIA BOLOY
25 HERRERA, an individual,

26 Defendants.

27 Case No.: 2:17-cv-02129-JAD-GWF

**STIPULATION AND
ORDER TO QUIET TITLE TO THE
SUBJECT PROPERTY AND FOR
DISMISSAL WITH PREJUDICE OF
DEFENDANT ER HOLDINGS NV LLC**

28 ECF No. 19

Plaintiff U.S. Bank National Association, as Trustee For MASTR Asset Backed
Securities Trust 2006-WMC4, Mortgage Pass-Through Certificates, Series 2006-WMC4
("U.S. Bank"), and Defendant ER Holdings NV LLC ("ER Holdings") (together with U.S.
Bank, the "Parties"), by and through their respective undersigned counsel of record, hereby
stipulate and agree as follows:

1 IT IS HEREBY STIPULATED AND AGREED that title to the property commonly
2 known as 3171 Arville Street, Las Vegas, Nevada 89102 (APN 162-07-411-085) is quieted in
3 the name of ER Holdings NV LLC.
4

5 IT IS FURTHER STIPULATED AND AGREED that nothing in this Stipulation and
6 Order, or the relief granted herein, shall be construed or deemed to alter, affect, limit, waive,
7 or restrict the rights of U.S. Bank (or any of its authorized agents, investors, affiliates,
8 predecessors, successors, and assigns) relating to the promissory note (the "Note") described
9 in the Deed of Trust recorded in the records of the Clark County, Nevada recorder as
10 instrument number 20060712-0000341 (the "U.S. Bank DOT").
11

12 The Parties further agree that this Stipulation and Order is in no way intended to
13 impair the rights of U.S. Bank (or any of its authorized agents, investors, affiliates,
14 predecessors, successors, and assigns) to pursue any and all remedies against the Borrower(s),
15 as defined in the U.S. Bank DOT and/or Note, that U.S. Bank (or any of its authorized agents,
16 investors, affiliates, predecessors, successors, and assigns) may have relating to the Note,
17 except the right to judicially or non-judicially foreclose/enforce the U.S. Bank DOT against
18 the property described in the U.S. Bank DOT.
19

20 IT IS FURTHER STIPULATED AND AGREED that a copy of this Stipulation and
21 Order may be recorded with the Clark County, Nevada Recorder.
22

23 ...
24 ...
25 ...
26 ...
27 ...
28 ...

SMITH LARSEN & WIXOM

ATTORNEYS
HILLS CENTER BUSINESS PARK
1935 VILLAGE CENTER CIRCLE
LAS VEGAS, NEVADA 89134
(702) 252-5002 • (702) 252-5006

1 IT IS FURTHER STIPULATED AND AGREED that ER Holdings shall be dismissed
2 from this litigation WITH PREJUDICE, with each party to bear its own costs and fees. This
3 dismissal pertains to ER Holdings only and not to any other party.
4

Dated this 21st day of November, 2018

6 SMITH LARSEN & WIXOM

7 /s/ Katie M. Weber

8 Kent F. Larsen, Esq.
9 Nevada Bar No. 3463
Katie M. Weber, Esq.
Nevada Bar No. 11736
10 1935 Village Center Circle
Las Vegas, Nevada 89134
11 Attorneys for Plaintiff
U.S. Bank National Association, As
Trustee For MASTR Asset Backed
Securities Trust 2006-WMC4, Mortgage
Pass-Through Certificates, Series 2006-
WMC4

Dated this 21st day of November, 2018

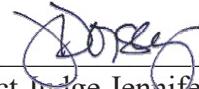
HOA LAWYERS GROUP, LLC

7 /s/ Steven T. Loizzi, Jr.

8 Steven T. Loizzi, Jr., Esq.
Nevada Bar No. 10920
9 9500 W. Flamingo, Suite 204
Las Vegas, Nevada 89147
10 Attorney for Defendants
11 ER Holdings NV LLC and Villa Del Oro
12 Owners Association

ORDER

19 Based on the parties' stipulation [ECF No. 19], which I construe as a joint motion under
20 Local Rule 7-1(c) because it was signed by fewer than all the parties, and with good cause
appearing, IT IS SO ORDERED. **ALL CLAIMS AGAINST ER HOLDINGS NV, LLC**
21 **ARE DISMISSED** with prejudice, each side to bear its own fees and costs. The parties are
reminded that the stay of the litigation between U.S. Bank and the HOA remains in effect.
22 See ECF No. 18. The parties are ORDERED to submit a status report by 12/10/18 that
23 details the status of the dismissal of the remaining claims and parties.



24
25 U.S. District Judge Jennifer A. Dorsey
26 Dated: November 21, 2018
27
28